

Handwritten: *Handley, W.*

JUDGE BAILEY
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

14 CV 3945

NEWLEAD HOLDINGS LTD.,

14 Civ. _____ ()

Petitioner,

vs.

IRONRIDGE GLOBAL IV LIMITED,

Respondent,

and

VSTOCK TRANSFER, LLC, as transfer agent,

Notice Party.

**ORDER TO SHOW CAUSE FOR INJUNCTIVE RELIEF AND FOR TEMPORARY
RESTRAINING ORDER**

Upon the reading and filing of the Petition of Petitioner NewLead Holdings Ltd. ("Petitioner" or "NewLead") For Temporary Restraining Order and Injunction in Aid of International Arbitration Proceeding; the Declaration Of Antonis Bertzos In Support Of Petition Of Petitioner NewLead Holdings Ltd. For Temporary Restraining Order And Injunction In Aid Of International Arbitration Proceeding dated June 2, 2014; the Declaration of Richard De Palma In Support Of Petition Of Petitioner NewLead Holdings Ltd. For Temporary Restraining Order And Injunction In Aid Of International Arbitration Proceeding dated June 3, 2014; and the Memorandum of Law in Support of the Petition of Petitioner NewLead Holdings Ltd. for Temporary Restraining Order and Injunction in Aid of International Arbitration Proceeding, it is

ORDERED, that Respondent Ironridge Global IV Limited ("Respondent" or "Ironridge") appear and show cause before this Court, located at the Daniel Patrick Moynihan

WHP United States Courthouse, Courtroom 203, 500 Pearl Street, in the City, County and State of *WHP*
New York, on June 9, 2014, at 10 o'clock in the A.M., or as soon thereafter as counsel
may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of
Civil Procedure and 9 U.S.C. § 201, *et seq.* (New York Convention on the Recognition and
Enforcement of Foreign Arbitral Awards):

(i) enjoining Respondent and those acting in concert with it, including but not limited to
VStock Transfer, LLC ("VStock") and any successor transfer agent, pending the confirmation of
an Award issued in the Arbitration, from taking any steps whatsoever:

(a) to convert any of the Series A Preference Shares of NewLead registered in
name of Ironridge ("Preference Shares") into Common Shares of NewLead
("Common Shares"); and/or

(b) to issue any Common Shares to Ironridge, whether in connection with the
conversion of the Preference Shares or otherwise; and

(ii) granting such other and further relief as the Court may deem just and proper;
and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing and
decision on Petitioner's Petition for Preliminary Injunctive Relief Pending Arbitration, pursuant
to Rule 65 of the Federal Rules of Civil Procedure, Respondent Ironridge and those acting in
concert with it, including but not limited to VStock and any successor transfer agent, are
temporarily restrained and enjoined from:

WHP ~~(i) converting any of the Series A Preference Shares of NewLead registered in name of~~
WHP ~~Ironridge ("Preference Shares") into Common Shares of NewLead ("Common Shares"); and/or~~

WHP (c)
WHP (ii) issuing any Common Shares to Ironridge, ~~whether in connection with the conversion~~
~~of the Preference Shares or otherwise.~~ in satisfaction of any embedded dividend liability

SUFFICIENT CAUSE BEING ALLEGED THEREFORE, it is hereby

ORDERED that, copies of this Order together with the papers upon which it has been granted, be served upon Respondent Ironridge Global IV Limited by personal delivery or overnight courier to Skadden Arps Slate Meagher & Flom LLP, and upon VStock Transfer, LLC by personal delivery or overnight courier so as to be in hand on or before June 3, 2014, and ✓ that such service shall be deemed good and sufficient service; and it is further

ORDERED that opposition papers, if any, shall be served and filed on or before

WHP June 6, 2014; and it is further ✓

ORDERED that reply papers, if any, shall be served and filed on or before

WHP June 8, 2014; and it is further ✓

ORDERED that counsel shall appear for oral argument on the return date of this motion.


United States District Judge
6/3/14 gr